



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

Christine Han  
Lemieux & O'Neill  
4165 East Thousand Oaks Blvd, Suite 350  
Westlake Village, CA 91362

Re: Freedom of Information Act Request EPA-R9-2015-003385

Dear Ms. Han:

This is in response to your Freedom of Information Act request regarding records and correspondence between the Environmental Protection Agency (EPA) and certain outside parties, pertaining to the Malibu Creek and Lagoon TMDL for Sedimentation and Nutrients.

Responsive, releasable documents have been uploaded to EPA's FOIAOnline system found at <https://foiaonline.regulations.gov/foia/action/public/home>. To access the documents, reference your FOIA request as EPA- R9-2015-003385.

We are unable to provide you with 260 emails sent between EPA and its contractor, which have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. § 552(b)(5) (deliberative process).

You may appeal this partial denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed and includes the assigned FOIA request number - EPA- R9-2014-006254). For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

You will receive an invoice for the fees incurred in processing this request.

Please contact Brett Moffatt of our Office of Regional Counsel at (415) 972-3946, should you have any questions concerning this matter.

Sincerely,

Nancy Woo  
Acting Director, Water Division